

RESOLUTION NO. 12-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA
ACCEPTING THE RESULTS OF THE SPECIAL ELECTION REGARDING
CHARTER ORDINANCE 216 RELATING TO THE DISTRIBUTION OF
GUEST TAXES.

WHEREAS, on September 13, 2011, the Wichita City Council passed Charter Ordinance No. 216, which amended Charter Ordinance 174, regarding the distribution of guest taxes received by hotels;

WHEREAS, on December 6, 2011, a valid petition was submitted signed by ten percent of the voters in the last city election demanding that the ordinance be submitted to a vote of the electors;

WHEREAS, on December 20, 2011 the City Council approved Ordinance No. 49-175 calling for an election regarding approval the Charter Ordinance on February 28, 2012;

WHEREAS, pursuant to Ordinance No. 49-175 a special election was called and held in the City of Wichita on February 28, 2012 to submit Charter Ordinance 216 to the electors of the City of Wichita;

WHEREAS, due and proper legal notice of the election, as required by law, was provided;

WHEREAS, the Sedgwick County Election Commissioner conducted the election for the City;

WHEREAS, the election was held on February 28, 2012 and was conducted in accordance with the laws of the State of Kansas relating to elections; and

WHEREAS, the Sedgwick County Election Commissioner has certified to the City that the results of the election were as follows:

SHALL CHARTER ORDINANCE 216 ENTITLED: "A CHARTER
ORDINANCE AMENDING AND REPEALING SECTION 1 OF CHARTER
ORDINANCE NO. 213, OF THE CITY OF WICHITA, KANSAS, WHICH
AMENDED AND REPEALED SECTION 1 OF CHARTER ORDINANCE NO.
183 OF THE CITY OF WICHITA WHICH AMENDED AND REPEALED
SECTION 1 OF CHARTER ORDINANCE NO. 174 OF THE CITY OF
WICHITA, KANSAS PERTAINING TO THE APPLICATION OF REVENUES
FROM THE TRANSIENT GUEST TAX" TAKE EFFECT?

YES ____ 10,628 Votes

NO ____ 16,454 Votes

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Wichita, Kansas:

SECTION 1. The certification of the election results made by the Sedgwick County Election Commissioner are received and filed.

SECITON 2. Based on the election results, pursuant to Article 12, Section 5 of the Kansas Constitution, Charter Ordinance 216 is invalid and shall not be placed into effect by the City Clerk or contained in the Code of the City of Wichita.

SECTION 3. This Resolution shall take effect and be in force from and after its passage.

ADOPTED at Wichita, Kansas, this 20th day of March, 2012.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf
Director of Law